

### REMARKS

**Claims in the Application.** By the instant amendment and response, Claims 37, 41-42, 48-49 and 53-56 have been cancelled from and Claims 57-63 have been added to this application. Accordingly, Claims 19, 23, 25-36, 38-40, 43-47, 50-52 and 57-63 are active in this application. Reconsideration is respectfully requested.

**The Examiner's Rejection Over *Burdick*, *Korzilius* and *Aqualon*.** In the Response filed on June 11, 2007, Applicants had indicated that a discussion of the following rejections was considered unnecessary in light of the amendments made to the claims:

- (a.) Claims 1-4, 7-9 and 29 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,479,537 ("*Burdick*");
- (b.) Claims 7-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,239,081 ("*Korzilius*"); and
- (c.) Claims 1-3 under 35 U.S.C. § 102(b) as being anticipated by European Patent Application No. 482 533 A2 ("*Aqualon*").

**The Examiner's Rejection Over *Burdick* and *Boatman*.** The Examiner has rejected Claims 1-4, 7-9, 12, 14, 15, 18, 19 and 21-40 under 35 U.S.C. § 103(a) as being unpatentable over *Burdick* in view of U.S. Patent No. 6,315,061 ("*Boatman*"). Claims 1-4, 7-9, 12, 14, 15, 18, 21-22, 24 and 37 have been cancelled from this application. The rejection of Claims 19, 23, 25-36 and 38-40 is traversed.

The claims of Applicants, as now amended, are directed to the thickening of brine during the recovery of oil and/or gas from a subterranean formation in order to alleviate fluid loss. The amendments are consistent with the claims as originally presented. The Examiner admits (paragraph 8 of Office Action of January 11, 2007) that "*Burdick* does not disclose a method for thickening a brine during oil/gas recovery by introducing the suspension to a brine or using a mixture of sodium formate with potassium formate and/or cesium formate."

The Examiner relies upon *Boatman* to cure the deficiencies of *Burdick*. Though the Examiner references discussion of *Boatman* in paragraph 9 of the Office Action, Applicants cannot locate in the Office Action any such discussion. Applicants presume, for purposes of argument herein, that the Examiner's basis for rejection of the claims over *Boatman* is as set forth in the previous Office Action.

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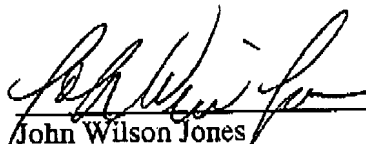
*Boatman*, however, is not directed to thickening of a brine by use of a cellulosic polymer suspended in an aqueous formate salt. *Boatman* only discloses use of a formate salt to adjust the density of a drilling fluid, not as a thickening agent. In contrast to *Boatman*, Applicant uses the formate salt solution as a carrier fluid for the cellulosic polymer in order to thicken brine. It is unclear therefore how the combination of *Burdick* and *Boatman* would render the claims of Applicants obvious.

**The Examiner's Double Patenting Rejection.** The Examiner has further provisionally rejected Claims 7-12, 14-17 and 19-20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 3-6 and 13 of copending Application No. 10/911,038. Applicant will consider the filing of a Terminal Disclaimer upon indication of allowable subject matter in this application.

**Conclusion.** In view of the foregoing amendment and remarks it is respectfully submitted that this application is in condition for allowance. Early notice to that effect is earnestly solicited.

Respectfully submitted,

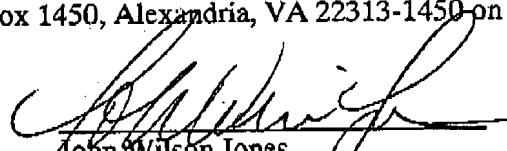
Dated: September 17, 2007

  
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**CERTIFICATE OF TRANSMISSION, 37 C.F.R. § 1.6(d)**

I hereby certify that this correspondence is being transmitted by facsimile, 571 273-8300, to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17<sup>th</sup> day of September 2007.

  
John Wilson Jones